

# FEDERAL LABOR RELATIONS AUTHORITY

## OFFICE OF THE GENERAL COUNSEL

### UNFAIR LABOR PRACTICE CASE HANDLING MANUAL

#### FOREWORD

The Unfair Labor Practice Manual (ULP Manual) provides information on preventing, resolving, and investigating unfair labor practice charges under the Federal Service Labor-Management Relations Statute (the Statute). The ULP Manual has been prepared by the Federal Labor Relations Authority (FLRA), Office of the General Counsel (OGC), pursuant to section 7104(f) of the Statute. The ULP Manual is intended to provide a resource tool for Regional Office employees when processing unfair labor practice charges under the Statute. The ULP Manual covers each aspect of processing unfair labor practice charges—from filing to disposition. The Manual references relevant case law and provides for: (1) uniformity and best practices among the Regional Offices; (2) criteria and principles that govern discretion and judgment; and (3) Model and Sample Forms and Letters. For information on litigating an unfair labor practice complaint, see the Litigation Manual.

Parties and individuals to a ULP charge must have a sound understanding of the ULP investigatory process and regulatory requirements so that Regional Offices can timely and effectively process ULP charges. To this end, the OGC has made the ULP Manual available to the public via OGC's web pages at the FLRA's web site: [www.flra.gov](http://www.flra.gov). Revisions to the ULP Manual will be posted on the OGC's web pages as they are made. An updated listing of recent substantive manual revisions (by fiscal year, most recent at the top of the list) that contains links to the actual revision in the manual is posted on OGC's web pages. The OGC web pages are the **only** source to obtain a current version of the ULP Manual.

The ULP Manual provides guidance for the FLRA, OGC staff when processing unfair labor practice charges under the Statute. The ULP Manual is not intended to be a condensed version of all substantive law, nor it is intended to be a substitute for knowledge of the law. The ULP Manual is not a ruling or directive, nor is it binding upon the FLRA General Counsel, FLRA Administrative Law Judges or the FLRA decisional component. Although the Regional Office staff refers to the ULP Manual when processing cases, the Manual does not encompass all situations that may be encountered in processing unfair labor practice charges. Thus, responsible, professional judgment and experience are required in applying and utilizing these guidelines.

June 2004